

1 STEVEN G. KALAR  
2 Federal Public Defender  
3 Northern District of California  
4 HANNI FAKHOURY  
5 Assistant Federal Public Defender  
6 13th Floor Federal Building - Suite 1350N  
7 1301 Clay Street  
8 Oakland, CA 94612  
9 Telephone: (510) 637-3500  
10 Facsimile: (510) 637-3507  
11 Email: Hanni\_Fakhoury@fd.org

12  
13 Counsel for Jason Kaufman

14  
15  
16 IN THE UNITED STATES DISTRICT COURT  
17 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
18 OAKLAND DIVISION

19 UNITED STATES OF AMERICA,  
20 Plaintiff,  
21 v.  
22 JASON KAUFMAN  
23 Defendant.

24 Case No.: CR 16-71691 MAG

25 **STIPULATION AND [PROPOSED]  
26 ORDER CONTINUING PRELIMINARY  
HEARING DATE TO JULY 13, 2018 AND  
EXCLUDING TIME UNDER THE  
SPEEDY TRIAL ACT**

27 **Court:** Courtroom 4, 3rd Floor  
28 **Hearing Date:** June 29, 2018  
**Hearing Time:** 9:30 a.m.

29 The preliminary hearing in this case is set for June 29, 2018. The parties jointly request the  
30 Court continue the hearing to July 13, 2018, at 9:30 a.m. as the parties are close to finalizing a  
31 potential resolution in this case. The parties further request that the Court exclude time under Federal  
32 Rule of Criminal Procedure 5.1(c) and (d) and the Speedy Trial Act, 18 U.S.C. § 3161, between June  
33 29, 2018 and July 13, 2018 to allow for the effective preparation of counsel and continuity of  
34 counsel, taking into account the exercise of due diligence.

1 IT IS SO STIPULATED.

2 Dated: June 27, 2018

ALEX TSE  
United States Attorney  
Northern District of California

5 /S/  
6 KATIE MEDEARIS  
7 Assistant United States Attorney

8 Dated: June 27, 2018

9 STEVEN G. KALAR  
10 Federal Public Defender  
11 Northern District of California

12 /S/  
13 HANNI FAKHOURY  
14 Assistant Federal Public Defender

### **[PROPOSED] ORDER**

15 Based on the reasons provided in the stipulation of the parties above, the Court hereby finds:

- 16 1. The defendant and defense counsel need additional time to discuss the case and the  
17 evidence and the parties need additional time to finalize a potential resolution of the case;
- 18 2. These tasks are necessary for the defense preparation of the case and the failure to grant  
19 the requested continuance would unreasonably deny counsel for defendant the reasonable time  
20 necessary for effective preparation, taking into account the exercise of due diligence; and
- 21 3. The ends of justice served by this continuance outweigh the best interest of the public  
22 and the defendant in a speedy trial.

23 Based on these findings, it is hereby ordered that the status hearing date of June 29, 2018,  
24 scheduled at 9:30 a.m. is vacated and reset for July 13, 2018 at 9:30 a.m. before the Honorable Donna  
25 M. Ryu. It is further ordered that time is excluded pursuant to Federal Rule of Criminal Procedure  
5.1(c) and (d), and the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), from June 29, 2018  
through July 13, 2018.

26 DATED: 6/28/18

  
27 HONORABLE KANDIS A. WESTMORE  
28 United States Magistrate Judge